

## Berg, Elizabeth

---

**From:** Tennis, Rachel  
**Sent:** Tuesday, November 19, 2013 2:08 PM  
**To:** Rigau, Mark (ENRD); Berg, Elizabeth  
**Cc:** DUTTA, ABHIK  
**Subject:** RE: Yosemite -- PG&E

Mark:

Good to speak with you earlier today. The documents I sent you are the only ones EPA can provide on PG&E. I understand that you have access to the same DTSC records we do. Unfortunately, EPA does not have the resources look for specific documents among materials that have already been provided to the PRPs.

Regards,  
Rachel

Rachel Tennis  
US EPA Region 9  
Office of Regional Counsel  
75 Hawthorne Street  
Mail Code: ORC-3-4  
San Francisco, CA 94105  
(415) 972-3746  
tennis.rachel@epa.gov

---

**From:** Rigau, Mark (ENRD) [mailto:Mark.Rigau@usdoj.gov]  
**Sent:** Tuesday, November 19, 2013 12:30 PM  
**To:** Tennis, Rachel; Berg, Elizabeth  
**Cc:** DUTTA, ABHIK  
**Subject:** RE: Yosemite -- PG&E

Thank you Rachael. I just skimmed over the records and noticed that the 2008 response to the GNL did not discuss or identify any waste that PG&E sent to the Bay Area Drum Site. It simply stated that it cashed out its potential liability with the BAD PRP Group and that the group had agreed to indemnify it. If you look at the other documents, there is an overwhelming number of references to post 1999 disposal of PCB-laden waste oil from the PG&E facilities near Yosemite Creek, but no reference to any pre-1999 disposals. Moreover, there is no reference to the drums that were sent to Bay Area Drum for recycling. Please advise if EPA has any other records or responses from PG&E, or if it intends to conduct any further investigation of that business. Thank you.

Kind regards,  
Mark

Mark A. Rigau

Senior Trial Counsel  
U.S. Dept. of Justice  
Environment and Natural Resources Division  
Environmental Defense Section  
301 Howard Street, Suite 1050  
San Francisco, California 94105  
Tel: 415-744-6487  
Fax: 415-744-6476  
Email: [mark.rigau@usdoj.gov](mailto:mark.rigau@usdoj.gov)

This e-mail, including attachments, may contain information that is confidential and that is protected by the attorney/client, work product, and/or other applicable privilege. This e-mail, including attachments, constitutes non-public information intended to be conveyed only to the designated recipient(s). If you are not an intended recipient, please delete this e-mail, including attachments, and notify me by return mail, e-mail, or at (415) 744-6491. The unauthorized use, dissemination, distribution, or reproduction of this e-mail or any attachment is prohibited and is unlawful.

---

**From:** Tennis, Rachel [<mailto:Tennis.Rachel@epa.gov>]  
**Sent:** Tuesday, November 19, 2013 11:40 AM  
**To:** Berg, Elizabeth; Rigau, Mark (ENRD)  
**Cc:** DUTTA, ABHIK  
**Subject:** RE: Yosemite -- PG&E

Mark:

I am attaching the 104e records and PG&E's response to the General Notice Letter. Please let me know if there is something else you are looking for.

I look forward to speaking with you on December 4.

Regards,  
Rachel

Rachel Tennis  
US EPA Region 9  
Office of Regional Counsel  
75 Hawthorne Street  
Mail Code: ORC-3-4  
San Francisco, CA 94105  
(415) 972-3746  
[tennis.rachel@epa.gov](mailto:tennis.rachel@epa.gov)

---

**From:** Berg, Elizabeth  
**Sent:** Friday, November 15, 2013 9:40 AM  
**To:** Rigau, Mark (ENRD)  
**Cc:** Tennis, Rachel; DUTTA, ABHIK  
**Subject:** Yosemite -- PG&E

Mark:

I got your message. Sorry about the confusion with my email address. I changed my name in February and EPA is just now updating my email address. It has caused a lot of confusion.

Yosemite Slough has been transferred to new EPA counsel: Rachel Tennis. Her number is 415-972-3746. I will continue to participate in Site meetings and discussions but Rachel will be the lead counsel.

I forwarded your voicemail to Rachel and Abhik Dutta, the investigator. I am unsure what the status is on your request regarding the PG&E information. To make sure we understand what you want, you are asking for our records obtained through 104e from PG&E, correct? Or was your request broader?

Thanne Berg  
US EPA Region 9  
Office of Regional Counsel  
75 Hawthorne Street  
San Francisco, CA 94105  
(415) 972-3908  
(415) 203-6104 (mobile)  
[berg.elizabeth@epa.gov](mailto:berg.elizabeth@epa.gov)

